

IN THE CLAIMS:

Please cancel claims 1 - 19 and 23 - 27.

Please amend claims 20 - 22 as indicated below.

Please add new claims 28 - 37 as indicated below.

A complete listing of the claims and their status follows.

Claims 1-19 (cancelled)

20. (currently amended) A method of treating an vertebral body having a superior endplate and an inferior endplate, comprising the steps of:

inserting a an expandable container into an vertebral body;
deploying expanding said container within said vertebral body;
injecting a first bone filler flowable material into said container under pressure; whereby said pressure supplies a distraction force to move said superior and inferior endplates apart; and

ending injection after said endplates have moved apart injecting a second flowable material different from said first flowable material into said container.

21. (currently amended) The method of claim 20 wherein at least one of said first and second said filler material flowable materials is selected from the group comprising: bone cement, human bone graft allograft; human bone graft autograft; synthetic derived bone substitute; sulfate and/or calcium phosphate, hydroxylapatite.

22. (currently amended) A method of treating an vertebral body comprising the steps of:

creating a cavity in the vertebral body through an access aperture;
inserting a container into said vertebral body; said container having a fill passage coupled to said container;
deploying said container within said vertebral body;

injecting a bone filler material into said container through said fill passage;
and

injecting a flowable material different from said bone filler material into
said container through said fill passage.

Claims 23 – 27 (cancelled).

28. (new) A method of treating a vertebral body having cancellous bone therewithin comprising the steps of:

inserting a container into the cancellous bone of said vertebral body;
injecting a first bone filler into said container; and
injecting a second bone filler different from said first filler into said container.

29. (new) The method of claim 28, wherein said first bone filler is selected to have a viscosity less than the viscosity of said second bone filler.

30. (new) The method of claim 28, wherein said first bone filler is selected to have a chemical composition different from the chemical composition of said second bone filler.

31. (new) The method of claim 28, wherein said first bone filler is selected to have a mechanical strength different from the mechanical strength of said second bone filler

32. (new) The method of claim 28 wherein said container is selected to be porous.

33. (new) The method of claim 32, wherein said first bone filler is initially introduced into said container and wherein said second bone filler is then introduced into said container to push against said first bone filler until a portion

of said first bone filler flows through the porous container and interdigitates with said cancellous bone of said vertebral body.

34. (new) The method of claim 33, wherein said container is selected to be a woven mesh.

35. (new) The method of claim 28, wherein said container is selected to be impermeable.

36. (new) The method of claim 35, wherein said container is selected to be elastic.

37. (new) The method of claim 35, wherein said container is selected to be inelastic.